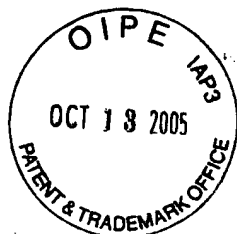


**Sterne Kessler
Goldstein Fox**
ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcom
Robert C. Millionig
Donald J. Featherstone
Timothy J. Shea, Jr.
Michael V. Messinger
Judith U. Kim

Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Eldora L. Ellison
Thomas C. Fiala
Albert L. Ferro
Donald R. Banowitz
Peter A. Jackman
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Brian J. Del Buono
Virgil Lee Beaton
Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Rae Lynn P. Guest
Daniel A. Klein

Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Aric W. Ledford
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gabry L. Longworth
Lori A. Gordon
Nicole D. Dretar
Ted J. Ebersole
Laura A. Vogel
Michael J. Mancuso
Bryan S. Wade
Aaron L. Schwartz

Shannon A. Carroll*
Wesley W. Jones*
Matthew E. Kelley*
Michelle K. Holoubek*
Marsha A. Rose*

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Victoria S. Rutherford
Simon J. Elliott
Julie A. Heider
Mita Mukherjee

Scott M. Woodhouse
Christopher J. Walsh
Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey Mills

Of Counsel
Kenneth C. Bass III
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
•Practice Limited to
Federal Agencies

October 13, 2005

WRITER'S DIRECT NUMBER:
(202) 772-8582
INTERNET ADDRESS:
PJACKMAN@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1633

Re: U.S. Utility Patent Application
Application No. 09/830,968; § 371 Date: November 6, 2001
For: **Method for the Massive Culture of Cells Producing Recombinant Human
Erythropoietin**
Inventors: Cargagno *et al.*
Our Ref: 1909.0040002/JAG/PAJ

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Amendment and Reply Under 37 C.F.R. § 1.111; and
2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Peter A. Jackman
Attorney for Applicants
Registration No. 45,986

JAG/PAJ/tis
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Carcagno *et al.*

Appl. No.: 09/830,968

§ 371 Date: November 6, 2001

For: **Method for the Massive Culture of
Cells Producing Recombinant
Human Erythropoietin**

Confirmation No.: 7301

Art Unit: 1633

Examiner: Kaushal, Sumesh

Atty. Docket: 1909.0040002/JAG/PAJ

Amendment and Reply Under 37 C.F.R. § 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated July 13, 2005, Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, a complete listing of all of the claims:
 - in ascending order;
 - with status identifiers; and
 - with markings in the currently amended claims; and
- (C) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net

addition of claims) are hereby authorized to be charged to our Deposit Account No.
19-0036.